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C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 002386

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TAGS: [PREF](#) [PREL](#) [PHUM](#) [BH](#) [NP](#)

SUBJECT: NEPAL: BHUTANESE REFUGEE LEADER DEPLORES  
CONDITIONS INSIDE BHUTAN

Classified By: DCM Robert K. Boggs for reasons 1.5 (b,d).

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SUMMARY  
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1. (C) On December 3, DCM and PolOff met with Bhutanese human rights activist Tek Nath Rizal to discuss conditions inside Bhutan and the repatriation of Bhutanese refugees in Nepal. Rizal contends that the Royal Government of Bhutan's system of discrimination continues to oppress the ethnic Nepali community inside Bhutan. Consequently, the refugees of Khudunabari Camp are extremely anxious about repatriation and particularly worried about personal security and safety in Bhutan. Third-party monitoring is essential to ensure the refugees' safety, he emphasized. Despite his concerns, Rizal is encouraging all eligible Khudunabari Camp refugees to return to Bhutan. Rizal believes that a meeting between the refugees and the Bhutanese King would go far to alleviate their concerns and to build mutual trust. End Summary.

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CONDITIONS INSIDE BHUTAN  
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2. (SBU) On December 3, DCM and PolOff met with Tek Nath Rizal, a long-time human rights activist and former prisoner of conscience in Bhutan, to share views about possible repatriation of the Bhutanese refugees in Nepal. Rizal was accompanied by fellow refugee community leader Ratan Gazmere. Rizal is currently chairman of the Human Rights Council of Bhutan, which acts as the umbrella organization for all of the refugee-based advocacy groups.

3. (C) Rizal expressed appreciation for the USG's interventions on his behalf while he was a prisoner in Bhutan. Despite his activism promoting human rights for 17 years as an elected member of the Druk National Assembly, Rizal said, he had achieved little success. Although he has not been inside Bhutan since his release from prison, Rizal believes that life for ethnic minorities in Bhutan continues to be very difficult. "They are in misery," he said.

4. (C) Rizal alleged that ethnic Nepalis in Bhutan are discriminated against on many levels -- everything from purchasing bus tickets to qualifying for a bed in a hospital. Rizal also claims that the Northern and Eastern Bhutanese resettled by the RGOB in southern Bhutan force the ethnic Nepalis to work in fields, in some cases the same fields the Nepalis had formerly owned. He explained that there is a system in Bhutan whereby all residents are required to provide free labor to the government, but in practice only the ethnic minorities are expected to fulfill this requirement. As a result, Rizal said, even U.N. development programs have used this so-called free labor to dig irrigation ditches and break rocks for construction of hospitals and schools. He worried that this type of discrimination would continue to plague the refugees upon their return to Bhutan.

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REFUGEES WORRY ABOUT PERSONAL SECURITY  
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5. (C) As a result, the refugees in the camps inside Nepal are extremely anxious about what type of treatment they will receive in Bhutan. Gazmere asserted that the refugees are most concerned about personal security after returning to Bhutan, fearful that they would be subject to the same sort of violence and intimidation that drove them out of Bhutan thirteen years ago. The refugees fear harassment by government authorities and security forces as well as victimization by the Indian militants now based in southern Bhutan. Rizal noted that what used to be known as "No Objection Certificates" are now called "Security Clearance Certificates," adding that without these documents, ethnic Nepalis inside Bhutan are denied access to social services as well as citizenship status. The Royal Government of Bhutan (RGOB) has not made it clear whether returning refugees would receive these certificates, he said. Despite these concerns, however, Rizal had decided to encourage all Khudunabari Camp residents who are eligible for repatriation to return to

Bhutan in February 2004.

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THIRD-PARTY MONITORING ESSENTIAL  
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16. (C) Without third-party monitoring in southern Bhutan, Rizal argued, the RGOB would feel even freer to continue systematic ethnic discrimination. Because of the alleged complicity or at least lack of interest of the UNDP and other UN agencies in this discrimination, Rizal and other refugees are opposed to those bodies providing oversight for the repatriation. (FYI: These sentiments are supported by the UNICEF representative from Thimpu, who told UNHCR regional director Fakhouri that the RGOB had approached UNICEF to request its assistance in moving ethnic Nepalis from southern Bhutan into interim camps in other parts of the country. And, to UNHCR's chagrin, the UNICEF official at the time has seen nothing inappropriate about this proposal. End FYI.)

17. (C) The two Bhutanese interlocutors indicated that they had met with foreign diplomatic missions in New Delhi recently where they heard that the RGOB might consider allowing other agencies, such as ICRC, to provide third-party oversight. Rizal holds ICRC in high regard and appreciates the effort it has made to protect ethnic Nepali prisoners inside Bhutan, but noted that protection of refugees is well beyond ICRC's mandate or abilities. He also noted that the ICRC's charter includes a confidentiality clause that might prohibit it from divulging sensitive information. Rizal said the refugees continue to hope that UNHCR will be able to provide third-party oversight for their repatriation. He did not understand how Bhutan, as a U.N. member state, "was able to get away with" preventing UNHCR from fulfilling its lawful mandate for refugee protection. If the UNHCR continues to be unacceptable to the RGOB, he said, the refugees would be willing to accept certain international NGOs, such as Lutheran World Federation, Oxfam and Caritas, who they regard as more sincere and dedicated to the refugees' cause.

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MEETING WITH KING WOULD GO FAR TO ALLEVIATE REFUGEE CONCERNS  
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18. (C) Rizal was disappointed that the Bhutanese King had thus far declined to talk with the refugee leaders. He believes that the two sides could reach an amicable understanding and build mutual trust through such a meeting. In concluding the visit, Rizal made a plea for financial assistance to enable the refugee group to continue -- and intensify -- its lobbying activities in Nepal and abroad.

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COMMENT  
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19. (C) Rizal's willingness to encourage Khudunabari Camp refugees to return to Bhutan despite his fears and uncertainties about conditions may, at first glance, seem contradictory. However, he might have calculated that the refugees will have more strength in numbers and determined that the first group from Khudunabari Camp will provide the litmus test for future repatriation. Rizal's accounts of conditions inside Bhutan are certainly worrisome and underlines further the need for third-party monitoring, particularly by the UNHCR. End Comment.

MALINOWSKI